

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 92-182-C - ORDER NO. 92-313 ✓  
APRIL 27, 1992

IN RE: Application of MCI Telecommunications Corporation for Authority to Provide IntraLATA Telecommunications Services in the State of South Carolina. ) ORDER DENYING ) MOTION IN ) OPPOSITION TO ) APPLICATION

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Return and Motion in Opposition to Application filed on behalf of GTE South, Inc. and Contel of South Carolina, Inc. DBA GTE South Carolina (collectively, the Companies).

On March 25, 1992, MCI Telecommunications Corporation (MCI) filed an Application with the Commission for authority to provide intraLATA telecommunications services within the State of South Carolina. Currently, MCI has a Certificate of Public Convenience and Necessity to provide intrastate interLATA telecommunications services in South Carolina.

The Companies' Return and Motion in Opposition to Application requests the Commission to deny MCI's Application for intraLATA authority and further find that no hearing on expanded intraLATA competition is warranted at this time. Alternatively, the Companies ask that the Commission hold MCI's filing in abeyance for 24 months until it is more appropriate to consider increased

intraLATA competition.

In support of their Motion in Opposition to Application, the Companies allege that current conditions in the South Carolina telecommunications environment render consideration of expanded intraLATA competition inappropriate at this time. The Companies point out that the Commission has established Docket No. 92-163-C to consider the approval of an Expanded Area Calling (EAC) Plan filed on behalf of the majority of the local exchange companies (LEC's) within South Carolina. The Companies requests that this Plan be analyzed and adopted before further intraLATA competition issues are addressed. Additionally, the Companies raised several issues which they allege should be investigated to determine if intraLATA competition is in the public interest.

The Commission has considered the Return and Motion in Opposition to Application filed by the Companies in this matter. The Commission has also reviewed MCI's filing seeking authority to provide intraLATA telecommunications services in South Carolina. The Commission notes that the allegations made by MCI in support of its request are meritorious, and MCI has the right to request the Commission's consideration of such issues. The Companies do not allege any justiciable grounds for dismissing the Application filed by MCI. The Companies merely allege that the Commission should hold this matter in abeyance pending the Commission's consideration and adoption of the EAC Plan that would directly impact the viability of any future intraLATA competition. The Commission is of the opinion, that MCI's request for intraLATA

competition, and the LEC's Expanded Area Calling Plan have the ability to directly affect one another, and both should be considered by the Commission. Additionally, the Commission notes that two other Dockets have been established to consider requests for intraLATA authority filed by Sprint Communications Company LP (Docket No. 92-183-C) and AT&T Communications (Docket No. 92-200-C). Neither GTE South, Inc. nor Contel of South Carolina, Inc. DBA GTE South Carolina have filed opposition to the applications in Docket Nos. 92-183-C or 92-200-C. Therefore, the Commission will still have the issue of intraLATA competition before it even if it were to dismiss MCI's Application.

The Commission has determined, however, that MCI's Application should not be dismissed, that MCI has a right to ask the Commission to consider the issue of intraLATA competition among the interexchange carriers, and that the Motion in Opposition to Application filed by the Companies, should be and hereby is denied.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)